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REMARKS

The Office Action of September 14, 2006 has been received and both the Examiner's comments and references cited therein carefully considered. In the Action, the Examiner objected to claims 1 and 6 because of informalities; claims 1 - 20 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter applicant regards as the invention. With regards to claim 1, the Examiner is confused with distinguishing the "outer end portion" of the pin, and the "outer end portion" of the spring clamp, and furthermore, claim 1 discloses bores "transversely spaced apart axes" and it has not been established which direction is considered transversal and which direction is longitudinal. With regards to claim 15, it is not understood which direction is considered "inwardly". Claims 1, 2, 4, 6, and 10 were rejected under 35 U.S.C. 102(b) as being anticipated by Higgs (4,675,953); and, claims 3, 5, 6, and 11-13, as best understood, were rejected under 35 U.S.C. 103(a) as being unpatentable over Higgs.

In response to the Office Action, base claim 1 has been amended to more clearly identify applicant's invention and to distinguish the cited prior art. Now recited in amended claim 1 is a retainer including a pin having an inner end pin portion, a shank portion and an outer end pin portion extending longitudinally from

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the shank portion and defining a pair of transversely extending parallel bores with transversely spaced apart axes. Also recited is a spring clamp with leg portions having inner ends with journal portions each received by one of the bores. Applicant believes that amended claim 1 clearly defines an invention not anticipated by Higgs individually nor by an obvious combination of Higgs with the other cited art.

In the Examiner's rejection, the tubular bearings 25 and 26 of Higgs were used to anticipate applicant's recited pin elements. Higgs, however fails to disclose or suggest an outer pin portion having an entirely exposed outer surface. To the contrary, the outer surface of tubular bearing 26 is fixed along its entire length to a clamp portion 15. The resultant Higgs device could not be employed in the same manner as can applicant's retainer. Furthermore, no obvious modification of Higgs to anticipate amended base claim 1 is obvious or in any way suggested by the other art of record.

Claims 2 – 20 all are dependent on base claim 1 and recite further features of applicant's invention not disclosed nor suggested by the cited art. For example only, dependent claim 3 recites an outer pin portion displaced from an inner end portion by a distance d substantially greater than the maximum width W of the pin. The functional advantages of the recited pin dimensions are disclosed on page 7, line 21 and page 8, lines 1 – 3, but not disclosed nor suggested by the cited art. Amended

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dependent claims 12 and 20 recite bores in a pin portion and lying in a plane oriented obtusely to a longitudinal axis of the outer pin portion. The advantages of the recited orientations are disclosed on page 8, lines 3 – 8. Similarly, dependent claim 6 recites a cylindrical pin with an outer end portion defining planar surfaces defining bores. These features facilitate, respectively, alignment of the pin 25 with openings in stacked sheets and securement of the clamp 26 to the pin 25 by aligning the journal ends 47 with the bores 41, 42. Again, the recited structure is neither disclosed nor suggested by the prior art. Applicant submits that novel structure which enhances use of a given device can be patentable even though the novel structure is not critically necessary to its use.

In view of the above amendments and remarks, applicant now believes that this application is in condition for allowance. Such action is most respectfully requested.

Respectfully submitted,

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